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April 2, 2007

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Ex Parte Comments*
PS Docket No. 06-229 – 700 MHz Broadband Public Safety Rules
WT Docket No. 06-150 – 700 MHz Commercial Service Rules
WT Docket No. 06-169 – 700 MHz Guard Band Rules
WT Docket No. 96-86 – Public Safety Communications Requirements

Dear Ms. Dortch:

3 Rivers Telephone Cooperative, Inc. is a small business and rural telephone carrier that provides service in the State of Montana. Our company has been in business since 1953, and we have a demonstrated commitment to the rural communities in our service area. We are aware that the FCC is in the process of deciding on rules to auction both Upper and Lower Band 700 MHz spectrum, in the timetable mandated by Congress.

We are writing to voice our concern over a recent proposal by Frontline Wireless LLC.¹ In short, we believe the Frontline proposal raises numerous complex issues that would have to be addressed in a separate – and focused – rulemaking proceeding. Under the current statutory deadlines, there is simply not enough time without jeopardizing the auction and delaying service to the public. The Frontline proposal subjects public safety communications to a novel and untested business model; it would take a significant block of commercial 700 MHz spectrum off the table (thereby eliminating a significant source of revenues to the U.S. Treasury); and the wholesale operations contemplated by Frontline could prove detrimental to the viability of small business and rural wireless carriers.

¹ See Comments of Frontline Wireless, LLC, PS Docket No. 06-229, WT Docket No. 96-86 (dated February 26, 2007); *Ex Parte* Comments of Frontline Wireless, WT Docket Nos. 06-150 and 06-169; PS Docket No. 06-229 (dated March 26, 2007).

Frontline into a subsidized competitor, threatening the viability of many smaller and rural wireless carriers – including 700 MHz band licensees who are only now beginning to construct their networks – and successful bidders from last year's AWS auction (a number of whom have long-form applications that are still pending before the Commission).

Our company also wishes to voice opposition to the Broadband Optimization Plan (or so-called "BOP"), which has been advocated in these dockets by Access Spectrum, LLC, and Pegasus Communications Corporation (among others). We agree with AT&T and Verizon Wireless that 700 MHz guard bands must be maintained in order to protect both public safety and commercial operations from interference, and that many key benefits sought by proponents of the BOP can be achieved through consolidation of the public safety narrowband channels and providing for broadband capability in the spectrum currently dedicated to public safety wideband channels.²

Finally, the Commission must reject any and all calls to use package bidding for the Upper and Lower 700 MHz band. Aside from being untested and extremely complex, package bidding procedures are inconsistent with the FCC's statutory obligation under Section 309 (j) of the Act to promote economic opportunity and competition and disseminate licenses among a wide variety of applicants, including small businesses and rural telephone companies.

Respectfully submitted,



Terry J. Noyd
Administrative Services Manager

² *Ex Parte* Comments of AT&T, Inc., WT Docket Nos. 06-169, 96-86 and 06-150 (filed February 23, 2007); *Ex Parte* Comments of Verizon Wireless (including technical white paper detailing 700 MHz band interference concerns), WT Docket No. 06-169 (filed February 15, 2007).